



City of NORFOLK

To the Honorable Council
City of Norfolk, Virginia

March 18, 2014

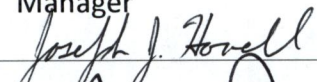
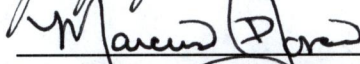
From: Bernard Pishko, City Attorney

Subject: Emergency continuance due to postponed Council meeting

Reviewed: Joseph Howell, Assistant to the City Manager

Ward/Superward:

Approved:

Item Number:

R-7

Marcus D. Jones, City Manager

I. **Recommendation:** Adopt Ordinance

II. **Applicant:** City of Norfolk

III. **Description**

This agenda item is an ordinance submitted for Council approval establishing a procedure for continuing a City Council meeting that may be postponed or cancelled due to hazardous weather or other emergency conditions. The ordinance would provide for an automatic continuance of all matters that are scheduled and advertised from an immediately prior scheduled meeting to the next scheduled regular meeting.

IV. **Analysis**

A provision within Va. Code 15.2-1416 allows for all advertised items to be continued anytime there is a cancellation due to an emergency. To make use of this process, however, the city must adopt a standardized continuance process. This proposed amendment to City Code sec. 2-18 would trigger an automatic continuance for all items scheduled and advertised to be heard at a council meeting that subsequently gets cancelled due to inclement weather or an emergency.

V. **Financial Impact**
N/A

VI. **Environmental**
N/A

VII. Community Outreach/Notification

Notice of this item was provided through the City of Norfolk's City Council agenda notification process.

VIII. Coordination/Outreach

This letter has been coordinated within the City Attorney's Office.

Supporting Material from the City Attorney's Office:

- Ordinance

Form and Correctness Approved: 

By 

Office of the City Attorney

Contents Approved:

By 

DEPT.

NORFOLK, VIRGINIA

ORDINANCE No.

AN ORDINANCE TO AMEND AND REORDAIN SECTION 2-18 OF THE CODE OF THE CITY OF NORFOLK, VIRGINIA, 1979, SO AS TO ESTABLISH A PROCEDURE FOR CONTINUING A MEETING OF THE CITY COUNCIL THAT MAY BE POSTPONED OR CANCELLED DUE TO HAZARDOUS WEATHER OR OTHER CONDITIONS.

- - -

Section 1:- That Section 2-18 of the Norfolk City Code, 1979, entitled shall be amended and ordained so as to establish a procedure for continuing a meeting of the City Council that may be postponed or cancelled due to hazardous weather or other conditions pursuant to section 15.2-1416 of the Code of Virginia, 1950 (as amended). The section shall read as follows:

Sec. 2-18. Operation of city government and city council during inclement weather and emergency conditions.

- (a) Notwithstanding the provisions of any law to the contrary, when the city manager shall determine the existence of inclement weather conditions or other emergency or disaster conditions of such intensity or severity as to threaten or endanger the safety and/or welfare of the community, and that as a result all or a part of the city's buildings or facilities should be closed and/or all or a part of the city's operations should be suspended, in order to mitigate the impact of such conditions on city employees, city operations, and the public, the city manager is authorized to close such buildings or facilities, and to suspend such operations, and to determine which city employees shall be excused from duty, and which employees shall be required to continue to render services. The compensation of city employees in such circumstances shall be as provided in the regulations for the administration of the compensation plan of the city or by separate ordinance. The city

manager is authorized to make and promulgate such rules and regulations, not inconsistent with this section, as may be necessary to carry out the policy stated herein.

- (b) Each scheduled meeting of the city council, in addition to being a regular meeting, shall also serve as the date and time upon which the council will conduct all hearings and other matters that are carried over from an immediately prior, scheduled meeting that did not occur because it was continued due to hazardous weather or other conditions pursuant to the process set forth in section 15.2-1416 of Code of Virginia.

Section 2:- That this ordinance shall be in effect from the date of its adoption.